

AGENDA MEMO

CITY COUNCIL MEETING DATE: JUNE 20, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-20783 - APPLICANT/OWNER: PEDRO GARCIA

**** CONDITIONS ****

The Planning Commission (5-1/bg vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-20780) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Construct half-street improvements including transition paving adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. A minimum of two lanes of asphalt pavement on the major access street adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
5. This site will be subject to the traffic signal impact fee as required by Ordinance No. 5644 at the time permits are issued.
6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Rezoning from R-E (Residence Estates) to R-PD4 (Residential Planned Development – Four Units per Acre) on 1.16 acres at 4881 Donald Road. The project proposes to subdivide the existing single family lot into a five-lot residential subdivision.

The proposed rezoning to the R-PD4 (Residential Planned Development – Four Units per Acre) zoning district is consistent with the ML (Medium Low Density Residential) General Plan designation. Due to the size of the parcel to be rezoned being less than five acres, there is a companion Variance (VAR-20782), that if approved as staff is recommending, would allow this rezoning of 1.16 acres to an R-PD (Residential Planned Development) district. The project represents an infill development that is consistent with the objectives of the General Plan and compatible with neighboring approvals. For these reasons this zoning request is appropriate for the area and approval of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/24/07	The Planning Commission recommended approval of companion items WVR-21491, VAR-20782 and SDR-20780 concurrently with this application. The Planning Commission voted 5-1/bg to recommend APPROVAL (PC Agenda Item #4/rts).
<i>Related Building Permits/Business Licenses</i>	
07/13/94	A building permit application, plan check R-0157-94, was submitted for the site. This was for a plan check review for a single family dwelling at 4881 Donald Road. This permit (94346003) was reviewed and approved by the Planning and Development Department on 07/20/94 and issued by the Building and Safety Department 08/30/94. Project listed as completed on 03/28/95.
<i>Pre-Application Meeting</i>	
03/01/07	A pre-application meeting was held and elements of this application were discussed. It was noted that this site has a ML (Medium Low Density Residential) General Plan designation. Submittal requirements were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this application, nor was one held.	
<i>Field Check</i>	
04/06/07	The Department of Planning and Development conducted a site visit that found that this was a developed site that has a single family, detached home that is a single story high. The site includes mature trees and front lawn area with a walled in area in the rear.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	1.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family, Detached	ML (Medium Low Density Residential)	R-E (Residence Estates)
North	Single Family, Detached	ML (Medium Low Density Residential)	R-PD3 (Residential Planned Development – 3 Units per Acre)
South	Single Family, Detached	ML (Medium Low Density Residential)	R-E (Residence Estates)
East	Single Family, Detached	ML (Medium Low Density Residential)	R-E (Residence Estates)
West	Undeveloped	L (Low Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	n/a
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	n/a
Trails		X	n/a
Rural Preservation Overlay District	X		N*
Development Impact Notification Assessment		X	n/a
Project of Regional Significance		X	n/a

- * The proposed density will exceed the two units per acre called for by the Rural Preservation Overlay District. This location has a ML (Medium Low Density Residential) General Plan Designation and there are approved developments to the north and west that are of comparable densities.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Proposed *
Min. Lot Size	6,926 Square Feet
Min. Lot Width	60 Feet
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	18 Feet 5 Feet 10 Feet 15 Feet
Max. Lot Coverage	n/a
Max. Building Height	2 Stories/35 Feet (which ever is less)

- * Pursuant to Title 19.08.040 (C)(4), the development standards for a project shall be established by the approval of an R-PD District and the approved Site Development Plan as described in Subchapter 19.18.050. Development standards shall include minimum front, side and rear setbacks, maximum building heights, wall and fence design and heights, parking standards, landscaping and other design and development criteria. Any future development will require review for determination of appropriate development standards.

Existing Zoning	Permitted Density	Units Allowed
R-E	2.0 du/ac	2 du/ac
Proposed Zoning	Permitted Density	Units Allowed
R-PD4	4.49 du/ac	5 du/ac
General Plan	Permitted Density	Units Allowed
ML	5.6 – 8 du/ac	9 du/ac

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement					
Use	Gross Floor Area or Number of Units	Required			Compliance
		Parking Ratio	Parking		
			Regular	Handicapped	
Single Family, Detached	5-Lots	2 Spaces / SFD	10 Spaces	0 Spaces	
TOTAL (including handicap)			10 Spaces		Indeterminate *

- * There are no floor plans proposed at this time for this development as it is the applicant's stated intention that the lots will be custom homes. A standard condition of approval appears in the Site Development Plan Review (SDR-20780) requiring all City Code requirements and design standards of all City Departments must be satisfied. This would include the above parking standard.

ANALYSIS

The subject site is designated ML (Medium Low Density Residential) on the Centennial Hills Sector Map of the General Plan. This designation generally permits single family, detached homes (including compact lots and zero lot lines); mobile home parks; and two-family dwellings. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. This category allows up to 8.49 units per acre. The project proposes to create a 5-lot residential subdivision with development standards similar to the city's R-1 (Single Family Residential) zoning district. The proposed development is in compliance with the ML (Medium Low Density Residential) General Plan designation.

This Rezoning proposes to change the site's zoning from R-E (Residence Estates) to R-PD4 (Residential Planned Development – Four Units per Acre). The proposed R-PD4 (Residential Planned Development – Four Units per Acre) zoning district is intended to provide maximum flexibility to permit imaginative and innovative residential design and to utilize land for the development of residential communities which are planned and developed with appropriate amenities to establish a clear sense of community. It is intended to promote the enhancement of residential amenities by means of an efficient consolidation and utilization of open space, separation of pedestrian and vehicular traffic and homogeneity of use patterns. Portions of an R-PD (Residential Planned Development) development may have a higher or lower density than permitted by the General Plan if the overall density for the entire development is in compliance with the General Plan. The maximum density permitted in an R-PD (Residential Planned Development) district is a function of the location and land use designation. The density of this proposed residential subdivision is 4.3 dwelling units per acre, thus it has been designated an R-PD4 (Residential Planned Development – Four Units per Acre) development. The proposed 5-lot residential subdivision is permissible in an R-PD4 (Residential Planned Development – Four Units per Acre) zoning district which is compatible with the ML (Medium Low Density Residential) General Plan designation.

This rezoning has been submitted in conjunction with a Waiver of Title 18.12.130 (WVR-21491) to allow a private street to end in a half hammer head design instead of the required cul-de-sac; Variance (VAR-20782) to allow the rezoning of less than five acres of land to an R-PD (Residential Planned Development) district; and a Site Development Plan Review (SDR-20780) to site the proposed 5-lot residential subdivision. As noted the size of the parcel to be rezoned is less than five acres; therefore, the Variance (VAR-20782) was necessitated. The project represents an infill development that is consistent with the objectives of the General Plan and compatible with neighboring approvals. For these reasons this zoning request is appropriate for the area and approval of this request is recommended.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed density falls below the maximum density allowed by the site’s General Plan designation.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The single family residential subdivision would be compatible with the surrounding land uses and zoning districts.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The growth and development factors call for increased single family residential uses in this area and the rezoning is appropriate.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The access for this site is off of Donald Road, a 50-foot wide local level street, which is adequate for a residential subdivision of this size.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 239 by Planning Department

APPROVALS 0

PROTESTS 0